

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Public Services – Home Department – Allegation of deliberate destruction and screening of evidence in a Murder case against by Sri A.Vidyasagar, Inspector of Police, Ramagundam Traffic PS of Karimnagar District – Sanction for Prosecution – Orders – Issued.

HOME (LEGAL.II) DEPARTMENT

G.O.Ms.No. 80

**Dated: 11.03.2013
Read the following:**

1. From the D.G.P., A.P., Hyd, Lr.Rc.No. 215/O2/2010, dt: 02.02.2011 along with the letter in C.No. 3402/C-15/CID/2010 of Additional DGP, CID, A.P., Hyderabad, dated: 07.01.2011
2. Govt.Memo.No.5803Legal.II/A2/2011-1, dated: 25.03.2011
3. Letter in C.No. 3402/C-15/CID/2010 of Addl DGP, CID, A.P., Hyd, dated: 16.04.2011.

ORDER:

Whereas, Sri A.Vidyasagar (A-3) previously worked as Inspector of Police, Ramagundam Traffic PS Godavarikhani Sub-Division, Karimnagar District joined service as civil sub-inspector in Police Department, Department of Home, Government of Andhra Pradesh in the year 1991. On promotion as Inspector of Police, he worked as Godavarikhani I Town Police Station from 27.02.2009 to 13.06.2009. Subsequently he was transferred and posted as Inspector of Police, Ramagundam Traffic PS of Karimnagar District for the period from 31.07.2009 to 21.04.2010 and such he is a Public Servant within the meaning of section 21 of the Indian Penal Code, 1860 and he is not removable from his office save by order and his sanction of the Government and as such governed by direction for prosecution of public servant envisaged under section 197 of the Code of Criminal Procedure, 1973;

2. And whereas, it is reported by the Additional Director General of Police, Crime Investigation Department, Andhra Pradesh, Hyderabad, that the investigation in Cr.No. 37/2010 under section 302 of the Indian Penal Code, 1860 and section 27 of the Indian Arms Act of Gadavarikhani II Town Police Station was entrusted to CID by the Director General of Police, Andhra Pradesh, Hyderabad, and that the Additional Director General of Police, CID, Andhra Pradesh, Hyderabad, nominated Sri A.Venkateshwara Rao, Superintendent of Police, CID, GOW, Hyderabad as the investigation officer;

3. And whereas, the investigation conducted by CID, disclosed that Sri A.Vidyasagar (A-3) while working as Inspector of Police, Traffic PS Ramagundam received information that one Police Constable Erragolla Ramesh, of Godavarikhani I town PS was found dead at OCP-III, CHP Bunker, Godavarikhani in an accident that occurred between 1930 and 2000hrs on 09.02.2010 and on receiving the information, he immediately rushed to the spot at OCP-III CHP, Bunker Godavarikhani and there he along with Md.Habeebkhan (A-4) and Venkata Ramaa (A-5) examined the body of the deceased physically and found no injuries except a small injury on the left cheek of the deceased and observed no damage to the vehicle of the deceased, ad sifted the body of the deceased to the Government Area Hospital, Godavarikhani;

4. And whereas, Sri A.Vidyasagar (A-3) registered the case in Ramagundam Traffic PS as road accident at the instance of Sri S. Rajendra Prasad (A-2), the then Sub-Division of Police Officer, Peddapalli and instructed brother of the deceased to draft a complaint accordingly, perused the complaint drafted by Erragolla Krishna Murthy and corrected the complaint in his own hand and there after obtained fresh complaint and registered the death of the deceased Erragolla Ramesh as a 'Road Accident' in Cr.No. 25/2010 under section 304-A of the Indian Penal Code, 1860 at 0100 hrs on 10.02.2010 and intentionally conducted perfunctory investigation and that he being a responsible Police Officer, suppressed the fact that the deceased died due to fire arm injury, registered the case as a road accident to facilitate and to save Buggala Srinivas (A-1) from the charges of murder and colluded with A-2 S.Rajendra Prasad, A-4 Md.Habeeb Khan and A-5 M.Venkata Ramana and pressurized and influenced the Medical Officers Dr.M.Satyanarayana Reddy (A-6) ad Dr.N.Srinivas (A-7) to conduct superficial postmortem examination though the injury sustained by the deceased was due to a fire arm;

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And whereas, the investigation further disclosed that Sri A.Vidyasagar (A-3) had close association with the accused Buggala Srinivas (A-1) and also continued further investigation having filed the charge sheet, deleted the name of Buggala Srinivas from the charge sheet in a murder case vide in Cr.No. 204/2009 of Godavarikhani I town PS though the accused Buggala Srinivas (A-1) was the main accused, while he was working as CI, Godavarikhani I Town PS and having colluded with other accused Police Officers and Medical Officers, intentionally prepared incorrect record and screened evidence to save Buggala Srinivas (A-1) from the clutches of law incorrect record and screened evidence to save Buggala Srinivas (A-1) from the clutches of law and that having Sri A.Vidyasagar (A-3) is liable for deliberate destruction and screening of evidence and that he committed offences punishable under sections 201, 217 and 218 read with section 34 of the Indian Penal Code, 1860;

And whereas, the Government of Andhra Pradesh after carefully examining the report of the Crime Investigation Department are satisfied that Sri A.Vidyasagar (A3) should be prosecuted in a competent court of Law for the above mentioned offences;

Now, therefore in exercise of the powers conferred under clause (b) of sub-section (1) of section 197 of the Code of Criminal Procedure, 1973 (Act No.2., of 1974), the Government of Andhra Pradesh hereby accord sanction for prosecution of Sri A.Vidyasagar (A3) for the offences punishable under sections 201, 217 and 218 read with section 34 of the Indian Penal Code, 1860 and for any other cognate offence arising on the same facts punishable under the provisions of law in discharge of his official duties and for taking cognizance of the same by the Court of competent jurisdiction.

Further in exercise of the powers conferred by sub-section (4) of section 197 of the Code of Criminal Procedure, 1973 (Act 2 of 1974) the Government of Andhra Pradesh hereby authorize the Superintendent of Police, CID/GOW/Hyderabad to prosecute the above mentioned accused for the above said offences in the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, A.P., Hyderabad

Copy to:

The Law (E) Department
The P.S to Secretary (LA & J) Department
The P.S to Prl.Secy, Home Department.
C.No. 5803/Legal.II/A2/2011
SF/SC.